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Attorney for defendant EDWIN BALERO

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
EDWIN WILLIAM BALERO,  
  
Defendant.

No. 99-CR-401/12-CR-0369 JAM  
  
**STIPULATION AND ORDER TO  
CONTINUE STATUS CONFERENCE**

The defendant, EDWIN BALERO, through his undersigned counsel, and the United States, through its undersigned counsel, hereby agree and request that the status conference currently set for Tuesday, June 24, 2014 at 9:30 am be vacated and continued until Tuesday, July 1, 2014 at 9:30 am.

A continuance is necessary to provide the parties with additional time for ongoing plea and sentencing negotiations AND conference with client about the recently proposed plea agreement. As previously stated, client was transferred from the Sacramento County Main Jail to the Colusa County Jail approximately 1 hour outside of Sacramento and defense counsel has been further delayed due backlog of cases that resulted from counsel's recent death of a family member(sister-in-law) after being hospitalized and in ICU for liver failure since April 18,

2014. Additionally, defense counsel has had added responsibilities of caring for his 93 year old father, responsibilities that were being performed by his older brother who is retired but was not able to continue due to his wife's condition. It is understood that July 1<sup>st</sup> will be a plea or set for trial. The parties stipulate that time should be excluded under the Speedy Trial Act to allow the defendant continuity of counsel and to provide the parties additional time for case preparation and ongoing plea and sentencing negotiations. Local Code T4 & 18 U.S.C § 3161 (h)(7)(B)(iv).

I, William E. Bonham, the filing party, have received authorization from AUSA Michael McCoy to sign and submit this stipulation and proposed order on his behalf.

Accordingly, the defense and the United States agree and request that the status conference for defendant EDWIN BALERO, be continued to Tuesday, July 29, 2014 at 9:30 am. The parties stipulate that the ends of justice served by granting this continuance outweigh the best interests of the public and defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

Dated: June 19, 2014

BENJAMIN B. WAGNER  
United States Attorney

By:/s/ WILLIAM E. BONHAM for  
MICHAEL MCCOY  
Assistant U.S. Attorney

Dated: June 19, 2014

By:/s/ WILLIAM E. BONHAM for  
WILLIAM E. BONHAM  
Counsel for Defendant  
EDWIN BALERO

**ORDER**

IT IS SO ORDERED. The status conference for defendant, EDWIN BALERO, currently set for Tuesday, June 24, 2014 at 9:30 am is vacated and continued to Tuesday, July 1, 2014 at 9:30 am.

I find that the continuance is necessary due to the needs of counsel for additional plea/sentencing negotiations due to counsel's personal family issues. I further find that a failure to do so would deny counsel reasonable time for effective preparation and conferencing with his client in plea negotiations prior to setting case for trial, taking into account the exercise of due diligence, and the defendant's continuity of counsel.

Accordingly, time is excluded under the Speedy Trial Act, due to needs of counsel for additional time case preparation and ongoing plea/ sentencing negotiations and conferencing with defendant, from June 24, 2014 up to and including July 1, 2014 pursuant to Local Code T4 and 18 U.S.C. § 3161(h)(7)(B)(iv). I find that the ends of justice served by granting this continuance outweigh the best interest of the public and defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

Dated: June 20, 2014

/s/ John A. Mendez\_\_\_\_\_  
HON. JOHN A. MENDEZ  
U.S. DISTRICT COURT JUDGE